

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA :
 :
 v. : 1:13CR47-1
 :
 STANLEY SCOTT PORTER :

MOTION FOR FINAL ORDER OF FORFEITURE

NOW COMES Ripley Rand, United States Attorney for the Middle District of North Carolina, and respectfully submits the United States' Motion for Final Order of Forfeiture in the above-styled case. In support thereof, the United States sets forth the following:

1. In the Bill of Information in this case, the United States sought forfeiture of any and all right, title, and interest in the following:

a. any conveyance, including any vessel, vehicle, or aircraft, that has been or is being used in the commission of the offense; and

b. any property, real or personal -

i. that constitutes, or is derived from or is traceable to the proceeds obtained directly or indirectly from the commission of the offense; or

ii. that is used to facilitate, or is intended to be used to facilitate, the commission of the offense,

including, but not limited to, Three Hundred Thousand and 00/100

Dollars (\$300,000.00), such sum of money representing the total amount of forfeitable proceeds obtained as a result of the alleged offense.

2. On February 19, 2013, the defendant STANLEY SCOTT PORTER entered a plea of guilty to the charges in the Bill of Information and on February 22, 2013 the Court accepted the plea.

3. By virtue of the Plea Agreement, Factual Basis, and other matters of record in this case, this Court entered a Preliminary Order of Forfeiture regarding the above-described properties on April 16, 2013.

4. By virtue of the Plea Agreement, Factual Basis, and other matters of record in this case, the United States has established that the defendant STANLEY SCOTT PORTER has an interest in the property subject to forfeiture.

5. In accordance with Title 21, United States Code, Section 853(n)(1), the United States properly published notice of the forfeiture of the above-described property and the requirements for filing a claim for the property on an official internet government forfeiture site from April 20, 2013 through May 19, 2013. A Declaration of Publication was filed herein on May 20, 2013, specifying the details of this publication. Pursuant to Title 21, United States Code, Section 853(n), any person asserting a legal

interest in the property subject to forfeiture had thirty (30) days from the final publication of notice, or of receipt of actual notice, whichever was earlier, to petition the Court for a hearing to adjudicate the validity of his alleged interest in the property.

6. No claims were filed within that thirty-day period. Therefore, any third-party interests are barred by failure of those parties to file a timely petition.

Accordingly, the United States respectfully requests that this Court enter a final order of forfeiture as proposed in the attached Order.

This the 28th day of June, 2013.

Respectfully submitted,

RIPLEY RAND
United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that on June 28, 2013, the foregoing Motion for Final Order of Forfeiture was electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: David B. Freedman, and I hereby certify that the document was mailed to the following non-CM/ECF participants: None.

Respectfully submitted,

RIPLEY RAND
United States Attorney

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